

ARGUMENTATION OF THE APPLICANT RELATING TO STRUCTURAL DIFFERENCES

The Examiner has rejected claims 38-40, 43, 44 and 56 under 35 USC 102(e) as being anticipated by DeKort '898.

The Examiner interprets the "waste" portion as one of the two conveyors.

In responding to this rejection, the Applicant has cancelled 38-40, 43, 44 and 56 and replaced independent claim 56 with new claim 57. New claim 57 is focussed on punching only and recites a device for punching a substrate to separate an useful part and a waste portion from a single sheet like substrate. Claim 57 includes means, disposed at an end of the working gap, for splitting off and separating the useful part from the waste portion. It recites as an option to choose between a transportation of a pre-punched or non-punched sheets and the transportation of useful products and the waste portion separated from the useful part as well as a disposal unit collection the waste portion. The Applicant submits that claim 57 is distinguished from the prior art due to DeKort for the following reasons.

The DeKort discloses a packaging device structured to process i.e. assemble two streams of products into one stream of final products whereas the present invention is a finishing device structured to process i.e. separate one stream into at least two streams.

The DeKort discloses cutting i.e. dividing a stream of flow packs into single flow packs whereas the present invention is structured to punching i.e. pattern cutting enabling to separate a waste part from a useful part.

The DeKort is focussed on cutting only and is not structured and cannot separate a waste portion from a useful part by punching tools.

The DeKort discloses handling of an article and a web of packaging material and is not structured to handle single sheet like substrates.

The DeKort discloses cutting between to flow packs whereby the accuracy of the cut to print register is not very critical.

The present invention discloses pattern cutting whereby the tool parts are superposed over the printed image. This means that the demands for the register accuracy are very critical since the slightest differences are visible to the naked eye because of the effect of superposing.

The DeKort does not disclose and is not structured to transport non processed i.e. not assembled or non cut substrates. It can process/produce finished products in a single pass only, which thereby limits the field of application to final products only.

The present invention discloses a punched sheet like substrate to be a punched product or an intermediate pre-punched product.

The present invention not only delivers final products but in contrast thereto it can transport non- and pre-punched sheets and can transport as an alternative useful and waste parts using two deliveries at the same time, and not an alternating delivery as in DeKort.

This aspect of the present invention allows for the possibility of producing pre-punched sheets and consequently allowing for a broader substrate flexibility of the processing line. E. g. very light weighted sheet like substrates are not suited for punching into a final product but still can be processed in a pre-punched version.

The fact that also non-punched sheets can be transported in a register controlled fashion, in this innovative processing line, enhances the productivity by making use of auxiliary processing stations.

The DeKort precludes auxiliary processing devices within a register controlled transportation system.

The dependent claims of record have been cancelled or amended appropriately for consistency with amended claim 57.

New claims have been added to highlight the structural differences and define preferred aspects of the invention.

The Applicant therefore submits that the independent claim 57 now is sufficiently distinguished from the prior art of record to satisfy the conditions for patenting. The dependent claims inherit the limitations of the independent claim and are therefore similarly distinguished from the prior art of record for the reasons given. The advantages associated with the structural differences between prior art and the invention indicated above, provide sufficient justification for patenting. Positive review and passage to issuance is therefore respectfully requested.

No new matter has been added in this amendment.

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Respectfully submitted,

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